

CIPE

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

R.C.E.#

OCT 14 2004

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of a utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number	09/955,773
Filing Date	September 19, 2001
Confirmation Number	1454
First Named Inventor	James E. Carey
Group Art Unit	2186
Examiner Name	Bataille, Pierre Miche
Attorney Docket Number	1958.1005-001

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

a. ☐ Previously submitted

i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on [07/07/2004].
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on [].

iii. ☐ Other -- [].

b. ☐ Please do not enter the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on [].

c. ☒ Enclosed

i. ☐ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☒ Petition for Extension of Time - one month with copy

v. ☒ Other -- Remarks for Continued Examination.

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of [] months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. ☐ Other -- [].

3. **Fees** The RCE fee under 37 CFR §1.17(e) is required by 37 CFR §1.114 when the RCE is filed.

a. ☒ A check is enclosed for the following fees in the total amount of \$ 900
OR

☐ Authorization is granted to charge the following fees in the total amount of \$[] to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes

i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)

ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.117) 10/15/2004 MAHMED1 00000037 09955773

iii. ☐ Amendment Fee

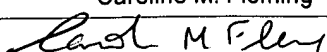
01 FC:1801

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iv. ☐ Other -- [].

b. ☒ Authorization is hereby granted to charge any deficiency in fees or credit any overpayments to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes.

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

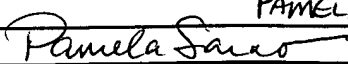
Name (Print/Type)	Caroline M. Fleming	Registration No. (Attorney/Agent)	45,566
Signature		Date	10/12/04

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print/Type) PAMELA SARNO

Signature



Date

10-12-04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: James E. Carey
Application No.: 09/955,773 Group: 2186
Filed: September 19, 2001 Examiner: Bataille, Pierre Miche
Confirmation No.: 1454
For: COMPUTING SYSTEM FOR IMPLEMENTING A SHARED CACHE

CERTIFICATE OF MAILING OR TRANSMISSION	
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10-12-04	Pamela Sarno
Date	Signature
PAMELA SARNO	
Typed or printed name of person signing certificate	

REMARKS FOR CONTINUED EXAMINATION

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A Request for Continued Examination is being filed in response to the Final Office Action mailed from the U.S. Patent and Trademark Office on April 7, 2004, and the Advisory Action mailed on August 9, 2004 in the above-referenced application. Reconsideration and further examination are requested.

An Amendment After Final was filed on July 7, 2004 and was not entered. A Notice of Appeal was also filed on July 7, 2004 and received by the USPTO on July 9, 2004. The Office did not acknowledge the Notice of Appeal in the Advisory Action.

The undersigned attorney petitions the Commissioner for Patents to extend the time for filing a Brief on Appeal pursuant to the Notice of Appeal for one month, from September 9, 2004 to October 9, 2004 under 37 C.F.R. § 1.136(a).